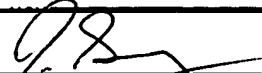


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		Application Number	08/968,208		
		Filing Date	November 11, 1997		
		First Named Inventor	Russell G. Higuchi		
		Group Art Unit	1743		
		Examiner Name	J. Snay		
Sheet	2	of	2	Attorney Docket No.	43800S

OTHER ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ²	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	25	Cardullo et al., 1988, Proc. Natl. Acad. Sci. USA 85:8790-8794	
	26	Holland et al., 1991, FASEB 5(4):A261	
	27	McCleod, 1990 J. Med. Eng. Tech. 14:60-66	
	28	Murakami et al., 1989, Nucl. Acids Res. 17:5587-5595	
	29	Wittwer et al., 1990, Anal. Biochem. 186:328-331	
	30	Derwent Abstract for SU1702312-A1 which published 12/30/91	
	31	Derwent Abstract for Japanese Patent Application JP63119672-A, which published 5/24/88	
	32	Patent Abstracts of Japan for Japanese Patent Application JP63119672-A, published 5/24/88	
	33	SPEX Catalog	
	34	FluoroLog-2 Spectrofluorometer Manual	
	35	Stufen zum Leben, Piper Verlag, 1987, pp. 292ff	
	36	Eppendorf Product Literature, September 1973	
	37	Opposition Papers submitted by Eppendorf AG in corresponding European Patent EP 0 872 562	X
	38	Annex 2 from cite 37, above	
	39	Opposition Papers submitted by Bio-Rad Inc. in corresponding European Patent EP 0 872 562	
	40	Opposition Papers submitted by Cepheid Inc. in corresponding European Patent EP 0 872 562	
	41	Opposition Papers submitted by IP Rights Group in corresponding European Patent EP 0 872 562	
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		Examiner Name	J. Snay		
Sheet	1	of	2	Attorney Docket No.	4380US

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	21	3,856,470	B1	Cullis et al.	12/24/74	
	22	3,999,868	B1	Sanz et al.	12/29/76	

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	23	GB	1,486,210			9/21/77		
	24	DE	26 51 536	A1	Eppendorf	5/11/78		X

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